UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1991/SR.52
13 March 1991

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

Forty-seventh session

SUMMARY RECORD OF THE 52nd MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 5 March 1991, at 3 p.m.

Chairman: Mr. BERNALES BALLESTEROS (Peru)

CONTENTS

Drafting of a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms (continued)

The role of youth in the promotion and protection of human rights, including the question of conscientious objection to military service

Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-second session (continued)

Rights of persons belonging to national, ethnic, religious and linguistic minorities (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Commission at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.91-11552/2971B

Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission:

(a) Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms;

(b) National institutions for the promotion and protection of human rights;

(c) Co-ordinating role of the Centre for Human Rights within the United Nations bodies and machinery dealing with the promotion and protection of human rights (continued)

Question of the human rights of all persons subjected to any form of detention or imprisonment, in particular:

(a) Torture and other cruel, inhuman or degrading treatment or punishment;

(b) Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(c) Question of enforced or involuntary disappearances (continued)

Human Rights and scientific and technological developments (continued)

Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (continued)

Advisory services in the field of human rights (continued)

The meeting was called to order at 3.25 p.m.

DRAFTING OF A DECLARATION ON THE RIGHT AND RESPONSIBILITY OF INDIVIDUALS, GROUPS AND ORGANS OF SOCIETY TO PROMOTE AND PROTECT UNIVERSALLY RECOGNIZED HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (agenda item 23) (continued)

1. Ms. CRUZ (International Falcon Movement - Socialist Educational International) said that, despite the progress that had undoubtedly been made in the field of human rights, actions reminiscent of the Dark Ages persisted, and it had been proved that the mere existence of good laws did not guarantee their proper implementation. The rights and responsibilities of individuals and organizations in the protection of human rights had thus to be recognized, and the work of the Commission and Sub-Commission in providing a framework for that purpose was becoming ever more important.

2. Throughout history, people who upheld human rights had been the target of accusations, being dubbed infidels, insurgents and so forth, and often killed. It was imperative, therefore, to define precisely and unambiguously the rights and the extent of the responsibilities of human rights defenders. Until then, and until practical assurances were given for their safety, flagrant violations of those rights would continue.

3. Even in the Commission, non-governmental organizations lacked a recognized right of reply and, could be subjected to baseless and deplorable accusations by representatives of Governments whose human rights records had come under scrutiny, in an endeavour to avoid responding properly. Instead of answering questions relating to statements by its own authorities, the representatives of one such Government had thrown allegations and insults at her organization's speakers, labelling them "enemies of God", hypocrites and terrorists.

4. In the same way, Professor Kazem Rajavi, who had for 20 years taken an active part in international and human rights organizations, a lecturer at the University of Geneva and a former ambassador of Iran, had been accused by the Iranian Government of being a terrorist. It was hardly surprising, therefore, that certain persons had concluded that his voice must be silenced for ever. His assassination had been strongly condemned by Sub-Commission resolution 1990/8, adopted unanimously, in which that body had also expressed the wish that the Commission's Special Representative on the situation of human rights in the Islamic Republic of Iran should include, in his next report, any information available to him on the investigation into that serious crime.

5. In paragraph 48 of his latest report (E/CN.4/1991/35), the Special Representative gave some details of the press release that had been issued by the examining magistrate of the Canton of Vaud, Mr. N. Chatelain. The investigation had revealed the implication of 13 people, whose Iranian official passports bore the words "on official business". Most of the individuals concerned had entered Switzerland together on direct Iran Air flight from Tehran to Geneva and had possessed airline tickets bearing consecutive serial numbers. Still according to the press release, the clues

assembled by the police officers conducting the investigation had made it possible to state that one or more official Iranian service had been directly involved in the killing of Mr. Kazem Rajavi.

6. Regrettably, the response to the Swiss authorities' investigations, as reflected in the Special Representative's report, had been nothing but more threats and accusations. The letter of 22 January 1991 tranmitted by the Permanent Representative of the Islamic Republic of Iran, details of which were contained in paragraph 50 of the report, gave a clear indication of the risks faced by defenders of human rights. As mentioned in paragraph 49 of the same report, the assassination of Mr. Rajavi had generated fear in persons visiting the Palais des Nations to give information about human rights in the Islamic Republic of Iran.

7. Until the rights and responsibilities of those who defended human rights had been made clear, and until such persons had protection, their defence of human rights would in many cases lead to violation of their own rights, including their right to life.

8. Outside the hall in which the Commission was meeting, photographs were displayed of people who had been imprisoned, abducted and in some cases deprived of life in defence of the Universal Declaration of Human Rights. As Professor Kazem Rajavi had once said, it appeared that the history of human rights was written in the blood of its defenders. It was much to be hoped that the Commission, through the valuable work of its rapporteurs and experts in defining the rights and responsibilities of individuals in the protection of human rights, would play an effective role in reducing the suffering and loss of life of human rights defenders.

THE ROLE OF YOUTH IN THE PROMOTION AND PROTECTION OF HUMAN RIGHTS, INCLUDING THE QUESTION OF CONSCIENTIOUS OBJECTION TO MILITARY SERVICE (agenda item 25) (E/CN.4/1991/64; E/CN.4/1991/NGO/26)

9. Mr. MARTENSON (Under-Secretary-General for Human Rights), introducing the agenda item, said that the international community had for some time recognized the particularly important role of youth in promoting enjoyment of human rights. The Universal Declaration of Human Rights, in its article 26, referred to the role of education in that regard.. The General Assembly, by resolution 2037 (XX), had adopted the Declaration on the promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples. Later, the Assembly and the Commission had adopted a number of resolutions and decisions relating to the role of youth in promoting respect for human rights and fundamental freedoms, and the education of youth for that purpose; since then, numerous activities had been carried out focusing on youth as a means for promoting human rights.

10. In addition, the Commission and Sub-Commission had been increasingly concerned with the issue of the enjoyment by youth of human rights and fundamental freedoms. The General Assembly had designated 1985 as International Youth Year: Participation, Development, Peace, and had invited all States, specialized agencies, intergovernmental and non-governmental organizations, as well as youth organizations, to participate. That year the

Sub-Commission had requested Mr. Dumitru Mazilu to prepare a report on human rights and youth, analysing the efforts and measures for securing the implementation and enjoyment by youth of human rights, particularly the rights to life, education and work. The Special Rapporteur had presented two reports to the Sub-Commission, which had adopted resolution 1990/32 in that regard.

11. Conscientious objection to military service had been an issue of particular importance for some years, having been dealt with since 1971 by the Commission and the Assembly. The latter, in 1978, had recognized the right of all persons to refuse service in military or police forces used to enforce apartheid, and had urged member States to grant such persons all the rights and benefits normally accorded to refugees. In 1981, the Sub-Commission had requested two of its members, Mr. Asbjorn Eide and Mr. Chamba Mubanga-Chipoya, as special rapporteurs, to analyse the question of conscientious objection in regard to the promotion and protection of human rights. The report presented by the Special Rapporteurs, to the Sub-Commission in 1983 had contained a series of draft principles relating to that question.

12. The Commission, for its part, had taken an important step forward in recognizing, in its resolution 1989/52, the right to conscientious objection to military service as a legitimate exercise of the right to freedom of thought, conscience and religion. It had appealed to States to enact legislation accordingly, and had further recommended that States with a system of compulsory military service should introduce, where no such provision had already been made, various forms of alternative service, for conscientious objectors, compatible with the reasons for their objection, bearing in mind the experience of some States in that respect, and that they should refrain from subjecting such persons to imprisonment. States' comments on the text of that resolution, and any further information received, were before the Commission in document E/CN.4/1991/64.

13. Mr. OGURTSOV (Observer for the Byelorussian Soviet Socialist Republic) said that concern for the future of mankind and the fate of millions of young people should increasingly become a focus of the world community's attention; the world's current young people would have the task of administering a new world order and determining the face of civilization in the third millenium. Many of the problems currently facing the world's young people stemmed largely from the world's imperfections; and their future likewise depended in great measure on the degree to which current social disorders could be overcome.

14. Formulation of an appropriate policy for youth had an important place in the work of the Supreme Soviet of the Byelorussian SSR, which had established a Youth Commission. The post of Minister for Youth had also been established in the new government structure. The Supreme Soviet's agenda included the drafting and adoption of a special law relating to young people.

15. Guidelines for future planning and follow-up activities for youth, approved by the United Nations, would provide a sound basis for activity at the national level as well as for international co-operation in that field. The education and training of young people, and their participation in

nation's political, economic and social life, contacts and exchanges between youth organizations, and access to information should form a part of activities on youth problems.

16. A comprehensive youth programme was currently being developed in the Byelorussian SSR, aimed basically at formulating and implementing State policy to ensure that young people could develop their full potential and participate actively in the socio-economic and democratic transformation of society. The programme would deal with the basic themes of employment, education, vocational guidance, health care, private life, and so forth. At the same time, a number of legislative standards and safeguards were being prepared, to ensure the effective participation of youth in society. Educational programmes would also include facilities for experience abroad and for contacts between youth organizations and State bodies. His Government thus attached great importance to the consideration of questions relating to the rights of young people, and was ready to co-operate further in that field with all the relevant United Nations bodies.

17. Ms. ALEMAN (Latin American Federation of Associations of Relatives of Disappeared Detainees) said that compulsory military service was a subject of direct concern to her organization, since it affected hundreds of young sons of persons who had disappeared or been murdered in various circumstances in which the armed forces had played a major role.

18. Military service was compulsory under most Latin American political constitutions, whose relevant provisions had usually been interpreted, for many years, in the light of supposed national security. The circumstances of recruitment were similar in all countries. A typical example could be seen in Guatemala, where military service was obligatory for any person aged between 18 and 35 years who was not the sole family breadwinner. Call-up was by means of telegram; but the army also made "round-ups" in towns and, more especially, in the countryside, which often meant that the family, unaware of what had happened, thought that the person in question had disappeared.

19. In El Salvador, to take another example, military service was required of every young man of 18 years of age who was not an only son, the head of a family or physically handicapped; but each month the army conducted forced recruiting, regardless of age or responsibilities, and it sometimes happened that minors of between 12 and 14 years of age were taken and that youths trying to escape were wounded or killed. It was, of course, the poorer sections of society that bore the brunt of such forcible recruiting.

20. Governments should be more flexible in their approach to military service requirements. One positive step in that regard had been the adoption, in Argentina, of Act No. 23/852, exempting from military service citizens whose families had suffered from enforced disappearances of fathers or brothers prior to 10 February 1983 and who accordingly requested exemption. That Act recognized the State's responsibility in cases of forced disappearances and the need to protect the victims of such events. Her organization appealed to Governments and non-governmental organizations to focus on the issue, which affected thousands of young men throughout the world.

REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-SECOND SESSION (agenda item 19) (continued)

21. Mr. SEZAKI (Japan), speaking in exercise of the right of reply, said that his delegation wished to make certain clarifications with regard to the statement made, at the Commission's 50th meeting, by the representative of International Educational Development Inc.

22. Under the Japanese police system, the officer in charge of prisoners in police custodial facilities belonged to a different department from the person in charge of criminal investigation, and an investigator was prohibited from dealing with prisoners; the progress or development of the investigation into the incident for which the person was under detention was thus not reflected in the person's treatment.

23. Prison law stipulated that the person might be accommodated either in a police custodial facility or in a prison for pre-trial detention; it was the judge who decided, according to the Constitution and the Code of Criminal Procedure, and independently of the investigation sector, where a given suspect should be detained. The suspect was entitled to select and communicate with defence counsel. In Japan, therefore, prisoners awaiting trial in police custody were lawfully detained and treated in accordance with the Constitution and the relevant international instruments.

RIGHTS OF PERSONS BELONGING TO NATIONAL, ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES (agenda item 20) (continued)

24. Mr. SEZAKI (Japan), speaking in exercise of the right of reply, said that, at the Commission's 51st meeting, the representative of International Educational Development Inc. had referred to the extension of the authorization of stay for Chinese students in Japan. He wished to state that the relevant requests were examined in the light of the person's involvement in the democratic movement, taking fully into account the Arche Summit Declaration concerning the Chinese students. Students deemed activist in the democratic movement were entitled to an extension of stay except in cases where they did not apply to the Immigration Office. There was no truth in the allegation that the Declaration was not being implemented in Japan.

25. Under Japanese legislation, refugees were provided with the necessary protection. Ordinarily, Chinese students, who were not refugees, would be treated in the same way as other aliens but they were being given exceptional consideration because their case was a special one.

26. With regard to the issue of Buraku people, his Government had established various policies aimed at solving the problem, being aware of the importance of protecting the human rights guaranteed by the Constitution. Conditions where those people lived had improved, but consciousness of discrimination lingered, although it was evaporating. His Government was engaged in educational activities as part of the solution.

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION:

(a) ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS;

(b) NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS;

(c) CO-ORDINATING ROLE OF THE CENTRE FOR HUMAN RIGHTS WITHIN THE UNITED NATIONS BODIES AND MACHINERY DEALING WITH THE PROMOTION AND PROTECTION OF HUMAN RIGHTS (agenda item 11) (continued) (E/CN.4/1991/L.25/Rev.1, L.26, L.33, L.34, L.36, L.38/Rev.1, L.40, L.41, L.44, L.51, L.67)

Draft resolution E/CN.4/1991/L.25/Rev.1

27. Mr. VILLARROEL (Philippines), introducing the draft resolution, said that the sponsors' aim was to strengthen the Centre for Human Rights by increasing the representation of under-represented groups of States, notably the developing countries, in senior and policy-formulating posts. The Commission had adopted a similar resolution by consensus at its forty-fourth session.

28. A new element appeared in operative paragraph 3 of the current text, urging that due consideration be given to General Assembly resolution 45/125 on the improvement of the status of women in the Secretariat. In that connection, a correction should be made to the text of operative paragraph 3: the phrase "improvement of women" should read "improvement of the status of women". The sponsors, which had been joined by the delegations of Argentina, the Czech and Slovak Federal Republic, Ghana, Hungary, Iraq, Madagascar, Mexico, Morocco, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and Venezuela, and the observers for Afghanistan, Bhutan, Haiti, Malaysia and Mongolia, hoped that the text would be adopted by consensus.

29. Draft resolution E/CN.4/1991/L.25/Rev.1 was adopted without a vote.

Draft resolution E/CN.4/1991/L.26

30. Mr. ILIOPOULOS (Observer for Greece), introducing the draft resolution on behalf of the sponsors, which had been joined by the delegation of Indonesia, said that the activities of the Centre for Human Rights had multiplied, placing a heavy burden on the shoulders of its dedicated staff. The General Assembly, at its forty-fifth session, had adopted two resolutions pursuant to which three posts had been created in the Centre. The Secretary-General had also been requested to commit the resources to provide for an additional four posts, but they had not yet been created.

31. The main purpose of the draft resolution was therefore, as stated in its operative paragraph 1, to reiterate the wish of the sponsors that the above-mentioned resolutions be implemented so as to satisfy the Centre's short-term needs. Operative paragraph 2 reminded the Secretariat that it had

been requested to examine the overall situation in respect of human resources, whereas the last two operative paragraphs asked the Secretary-General to submit a relevant report to the General Assembly and decided that the Commission would reconsider the matter at its forty-eighth session.

32. Although the members of the Centre's staff were making commendable efforts to cope with their increased duties, it should not be forgotten that the Member States also had the responsibility of ensuring that human rights and fundamental freedoms, as established in the relevant international human rights instruments, were effectively protected and implemented. In the circumstances, he hoped that the draft resolution could be adopted by consensus.

33. Draft resolution E/CN.4/1991/L.26 was adopted without a vote.

Draft resolution E/CN.4/1991/L.33

34. Mr. BENEDETTI (Italy), introducing the draft resolution on behalf of the sponsors, which had been joined by the delegation of Indonesia, said that it had essentially the same form and content as previous resolutions on the subject. However, some new elements had been introduced to make human rights documents more available and useful in information centres around the world. The draft resolution also supported the idea that the Centre should develop a manual for higher education in human rights and, to that end, called for a meeting of experts in co-operation with UNESCO during the current year.

35. Since the Centre had few financial resources available for public information activities, the draft resolution requested the Secretary-General to make provision to increase the Centre's proposed budget for 1992-1993. It also addressed the need for closer co-operation between the Centre and the Department of Public Information, each within its respective mandate.

36. Lastly, the draft resolution requested the Secretary-General to include in his next report on public information activities details of the cost incurred in 1991 and of the proposed budget for 1992, as well as a further assessment of the impact of the activities of the World Public Information Campaign on Human Rights.

37. Draft resolution E/CN.4/1991/L.33 was adopted without a vote.

Draft resolution E/CN.4/1991/L.34

38. Mr. SCHERK (Austria), introducing the draft resolution on behalf of the sponsors, which had been joined by the delegations of Hungary and Senegal and the observers for Costa Rica, Poland and the United Kingdom, expressed their appreciation for the written communication submitted by the Commission of the Churches on International Affairs and the Friends World Committee for Consultation (Quakers) (E/CN.4/1990/NGO/1).

39. The problems of millions of peoples uprooted from their communities, but remaining within their national borders, required the attention of and action by the international community. There were some 30 million people in that situation, the most recent example being that of the internally displaced persons in Liberia.

40. The sponsors hoped that the draft resolution would lead to a better understanding and analysis of the problem and would enable the international community to deal with it more effectively in the future, and particularly with the case of those persons not covered by the Fourth Geneva Convention and Additional Protocol II, who thus did not come under the protection of the International Committee of the Red Cross.

41. Draft resolution E/CN.4/1991/L.34 was adopted without a vote.

Draft resolution E/CN.4/1991/L.36

42. Mr. KOUTCHINSKY (Ukrainian SSR), introducing the draft resolution on behalf of the sponsors, which had been joined by the delegation of Cyprus, said it was based on resolutions of the Commission and of the General Assembly adopted by consensus.

43. The preamble stressed inter alia the need for strict compliance by States parties with their obligations under the United Nations human rights instruments and for the effective functioning of the treaty bodies and the special rapporteurs. It also referred to the meeting in Paris of the Heads of State or Government of the States participating in the Conference on Security and Co-operation in Europe.

44. The operative part of the draft resolution expressed support for the efforts of the Secretary-General to enhance the role of the Centre for Human Rights and urged Member States to co-operate fully with the relevant United Nations bodies and the special rapporteurs appointed by the Commission. It further urged the Member States that had not yet done so to consider ratifying or acceding to the various international human rights instruments and stressed the importance of the World Public Information Campaign on Human Rights and the establishment of national institutions for the defence and protection of human rights.

45. Lastly, all Member States and international organizations were invited to submit to the Secretary-General their comments and views on ways and means of strengthening international co-operation to solve international social, cultural or humanitarian problems and to encourage universal respect for human rights.

46. Draft resolution E/CN.4/1991/L.36 was adopted without a vote.

Draft Resolution E/CN.4/1991/L.38/Rev.1

47. Mr. BURDEKIN (Australia), introducing the draft resolution on behalf of the sponsors, which had been joined by the delegations of Burundi, India and Panama and the observer for Sri Lanka, said that those involved in the field of human rights realized that improvements in the observance of human rights principles had, in the final analaysis, to be ensured from within the country concerned. Those principles had to be instilled into a nation's culture, legal system and administrative practice, and action had to be taken at the national level.

48. The draft resolution therefore developed the idea that the key factor was the encouragement and strengthening of national institutions for the promotion and protection of human rights. It underlined the role of the Centre for Human Rights in the process and the importance of the dissemination and exchange of information. It also noted the Secretary-General's report on the subject, which included conceptual notes of national institutions, and commended the report for study by States.

49. Draft resolution E/CN.4/1991/L.38/Rev.1 was adopted without a vote.

Draft resolution E/CN.4/1991/L.40

50. Miss ARGUILLAS (Philippines), introducing the draft resolution on behalf of its sponsors, which had been joined by the delegations of Bangladesh and France and the observer for Sri Lanka, said that the origins of the draft resolution dated from 1981 when, at its thirty-sixth session, the General Assembly had asked the Secretary-General to organize a seminar at Colombo in 1982 to consider the promotion and protection of human rights in the Asian region (seventh preambular paragraph). Since then, there has been a number of developments including the designation of the Social Development Division of the Economic and Social Commission for Asia and the Pacific (ESCAP) as a regional focal point for human rights and the designation of the library of ESCAP as a depository of human rights material.

51. The unique situation of the region was reflected in operative paragraph 4 which referred to the fact that intergovernmental arrangements for promotion and protection had been established in other regions. Operative paragraph 5 recognized the valuable contribution that could be made by national human rights institutions to the concept of regional arrangements and operative paragraph 6 acknowledged the valuable role that the non-governmental organizations could play.

52. Her delegation wished to highlight, in particular, operative paragraph 6, which encouraged all the States of the region to consider further the establishment of regional arrangements for the promotion and protection of human rights in the region and requested the Secretary-General to organize a seminar to discuss the matter.

53. Draft resolution E/CN.4/1991/L.40 was adopted without a vote.

Draft resolution E/CN.4/1991/L.41

54. Mr. ALFONSO MARTINEZ (Cuba), introducing the draft resolution on behalf of its sponsors, which had been joined by the delegation of Ghana, said that it had resulted from constructive conversations with delegations. The revised text was not yet ready for distribution but, notwithstanding the provisions of rule 52 of the rules of procedure, his delegation wished to follow the eminently practical precedent established by the delegation of the United States in introducing draft resolution E/CN.4/1991/L.19/Rev.1.

55. As the members of the Commission were aware, the General Assembly had adopted resolution 45/163 on the same topic, which dealt in particular with the importance of encouraging international co-operation in human rights and the importance of non-selectivity, impartiality and objectivity in such matters.

56. The text had been revised to correct a number of technical errors and, with due regard for the comments made by the delegations which had worked on the original General Assembly resolution, to bring it more in line with that resolution.

57. The first preambular paragraph of the revised text was virtually the same as in the original draft, with the insertion of the words "for all" after the words "fundamental freedoms". The second preambular paragraph had been reworded to bring it closer to the General Assembly resolution. The third preambular paragraph reproduced verbatim the corresponding paragraph of the General Assembly resolution. The fourth preambular paragraph, while having the same content and meaning as the original, listed the three instruments which made up the Bill of Human Rights, instead of simply referring to the International Bill.

58. The fifth and sixth preambular paragraphs remained unchanged. The seventh and eighth preambular paragraphs of the revised text had the same meaning as the seventh preambular paragraph of the original but the General Assembly resolutions had been separated in order to distinguish between those which were being being recalled and those which were simply being noted. The ninth preambular paragraph of the revised text, replacing the eighth preambular paragraph of the original reflected the corresponding paragraph adopted by the General Assembly.

59. The tenth preambular paragraph had been recast to meet the concern of delegations that the text should refer to the international obligations assumed by Governments before mentioning the duty of a Government to enforce its domestic legislation. The last preambular paragraph of the revised text was the same as the last preambular paragraph of the original text.

60. Operative paragraphs 1 and 2 of the revised text had the same meaning as operative paragraphs 1 and 2 of the original. In the second line of operative paragraph 2 however, the words "among themselves" had been deleted after the words "in co-operation" so as to reproduce exactly the wording of the General Assembly resolution.

61. Operative paragraph 3 had been amended and operative paragraphs 4 and 5 had been added at the request of some delegations that wished to include some important ideas contained in the corresponding paragraphs of the General Assembly resolution.

62. Operative paragraph 6 of the revised draft resolution repeated verbatim operative paragraph 4 of the original text and operative paragraph 7 introduced the new idea, suggested by the delegation of Australia, of

recognizing the valuable role that non-governmental organizations could play in respect of human rights. Operative paragraphs 8 and 9 of the revised text had, without basically diverging from the contents of operative paragraphs 5 and 6 of the original text, been modified in order to reflect more accurately the views expressed in the Commission.

63. His delegation hoped that the revised draft resolution would be adopted without a vote.

64. Mr. WALKER (Australia) proposed that the vote on the revised draft resolution should be postponed for 24 hours, in accordance with rule 52 of the rules of procedure, in the hope that a consensus would be forthcoming.

65. The Australian proposal was adopted.

Draft resolution E/CN.4/1991/L.44

66. Mr. PACE (Secretary of the Commission) said that there was a minor change to be made to the Spanish version of the text. In the second preambular paragraph and inoperative paragraphs 1, 2 and 3, the word "difundir" should be replaced by the word "sembrar".

67. Mr. de RIVERO (Peru), introducing the draft resolution on behalf of its sponsors, which had been joined by the delegation of Austria and the observer for Iceland, said that all delegations were aware of the serious problem represented by the increase in acts of violence committed by armed groups spreading terror among the population and by drug traffickers. All delegations were aware of the interrelationship between the violent actions of those groups and drug traffickers and their destabilizing effects on democratic Governments, chosen by their peoples through legitimate and periodic elections.

68. It was a new phenomenon which the Commission had begun to consider the previous year and which it should continue to consider. It was not the democratic Governments that caused the violence. On the contrary, they were combating it and, despite their efforts, the violent actions of the armed groups and drug traffickers clearly affected the enjoyment of human rights and fundamental freedoms.

69. Furthermore, those groups prevented the proper functioning of the administration of justice and the maintenance of public order, by murdering citizens who wished to co-operate with the authorities, terrorizing witnesses, intimidating prosecutors and, sometimes, forcing people to change their identities and "disappear".

70. That was the background of the draft resolution, which in no way tried to diminish the responsibility of States with regard to the observance of their international commitments in respect of human rights. In fact, it merely sought to ensure that the Commission took account of the difficulties which democratic Governments faced in violent situations of that kind.

71. In view of the considerable support the draft resolution had received and the fact that many Governments were aware of the problem, the sponsors hoped that it could be adopted by consenus.

72. The CHAIRMAN said that the delegations of Ethiopia and Ghana, and the observers for Rwanda and Sri Lanka has joined the list of sponsors.

73. Draft resolution E/CN.4/1991/L.44 was adopted without a vote.

Draft resolution E/CN.4/1991/L.51

74. Mr. KUEHL (United States of America) said that his delegation was a sponsor of the draft resolution because it unambiguously set forth the terms of the World Conference as stated in General Assembly resolution 45/155.

75. The focus of the World Conference should be on the implementation of the International Bill of Rights and the links between the development of democracy and the enforcement of those instruments. His delegation believed that the Conference could make a lasting contribution by concentrating on the enforcement of existing human rights standards and on the improvement of United Nations methods and mechanisms intended to advance those goals.

76. Mr. BENHIMA (Morocco), introducing draft resolution E/CN.4/1991/L.51 on behalf of its sponsors, which had been joined by the delegations of Hungary, and Zambia and the observers for Malaysia, Paraguay, Uruguay and the Republic of Korea said that it was simply an extension of General Assembly resolution 45/155 on the convening in 1993 of a World Conference on Human Rights. The universal dimension of the World Conference had already been brilliantly illustrated by the diversity of the sponsors, which represented a whole range of cultures, spiritual beliefs, philosophical schools and political or socio-economic options.

77. In accordance with operative paragraph 8 of the General Assembly resolution, all delegations had participated actively in the elaboration of the draft resolution in a desire to make a contribution to what might be called the "Geneva consensus". All phases of consultation, negotiation and finalization of the draft had therefore reflected a common will to ensure the success of the Conference.

78. With regard to the Preparatory Committee for the World Conference on Human Rights, the Commission recommended that the rules of procedure should, in so far as applicable, be those of the functional commissions of the Economic and Social Council and that the draft rules of procedure for the Conference should be based on the standard rules of procedure for United Nations conferences. The Commission took note of the offers made by certain States to act as host for the World Conference and requested the Secretary-General of the United Nations to report to it at its forty-eighth session on the progress made in preparing for the Conference.

79. The annex to the draft resolution contained 11 paragraphs dealing with substantive matters. The recommendations which it contained dealt with the principles and objectives of the Conference. The Preparatory Committee was requested to encourage all States which had not done so to become parties to the international human rights instruments. It was also requested to consider ways and means of promoting a universal culture of human rights and of financing regional meetings and activities. The Preparatory Committee was also to examine ways and means by which the World Conference could encourage the establishment or strengthening of governmental and non-governmental organizations at the national level aiming at the promotion of human rights and could strengthen the Centre for Human Rights.

80. He hoped that the draft resolution would be adopted by consensus.

81. Mr. PACE (Secretary of the Commission) said that, in operative paragraph 12 of the draft resolution, the words "to proceed from" should be replaced by the words "to base its work on". In addition, the title of the annex should be changed to read "Recommendations".

82. With regard to the financial implications of the draft resolution, he said that the activities requested in operative paragraphs 5 and 6 would require the allocation of funds for one visit to Geneva by the Chairman of the Commission to inform the Preparatory Committee of the current debate. The amount involved was estimated at $5,100 for 1991, subject to the approval of United Nations Headquarters.

83. Mr. DAYAL (India) said that his delegation wished to become a sponsor of the draft resolution.

84. THE CHAIRMAN said that, if he heard no objection, he would take it that the Commission wished to adopt the draft resolution without a vote.

85. Draft resolution E/CN.4/1991/L.51 was adopted without a vote.

Draft resolution E/CN.4/1991/L.67

86. Mr. PAGAC (Czech and Slovak Federal Republic), introducing the draft resolution on behalf of its sponsors which had been joined by the observer for Bulgaria, said that he was particularly encouraged not only by the number of the sponsors but also by the interest shown during the consultations by quite a large number of delegations.

87. The draft resolution was self-explanatory and brought under a single umbrella a significant and indispensable part of the human rights monitoring machinery of the United Nations system. The draft resolution was designed to draw more attention to the thematic procedures of which the Commission had had experience for more than 10 years.

88. The text was a consensual one and the draft was procedural in both its preambular and operative parts. The preamble referred to a number of resolutions which had all been adopted without a vote on subjects that had so far been consistently dealt with on a consensus basis in both the Commission and the General Assembly.

89. He wished, on behalf of the sponsors, to insert after the fifth preambular paragraph a paragraph which had been inadvertently omitted from the original text and which would read:

> "Recalling also its resolution 1990/27 in which it asked all Governments to co-operate with the Special Rapporteur on the elimination of all forms of intolerance and discrimination based on religion or belief".

That text was based on operative paragraph 13 of Commission resolution 1990/27, which had been adopted the previous year by consensus.

90. Draft resolution E/CN.4/1991/L.67, as orally revised, was adopted without a vote.

91. Mr. GEBRE-MEDHIN (Ethiopia), speaking in explanation of vote, said that his delegation had supported draft resolution E/CN.4/1991/L.25/Rev.1 because it attached importance to the objectives of the resolution. Despite the improvements in the revised text, his delegation found operative paragraph 3 inconsistent with existing practice within the United Nations system and the provisions of Article 97 of the Charter. The paragraph was heavily loaded, lumping together many important notions and principles which could have been kept in their appropriate contexts. As a result, the language in the paragraph tended to transfer the authority of the Secretary-General and that of Member States to the specialized agencies and non-governmental organizations. While his delegation fully supported the intent of the resolution, it was obliged to enter reservations about the said inconsistency.

92. Mr. RONQUIST (Sweden), speaking in explanation of vote, said that his delegation had joined the consensus on resolution E/CN.4/1991/L.44. It shared the deep concern expressed at the increase in violence committed by armed groups and drug traffickers in many countries and the observation that such acts adversely affected the well being of peoples and caused serious damage to the infrastructure and economic production of countries.

93. His delegation also believed that it was important for the special rapporteurs and working groups to pay particular attention to such activities in assessing the human rights situation in different countries. However, it should not be forgotten that the primary task of those institutions was to monitor compliance by States with their obligations under the Charter of the United Nations and the international human rights standards by means, inter alia, of entering into a dialogue with the Governments concerned.

94. Mr. WANG Xuexian (China), speaking in explanation of vote, said that his delegation had joined the consensus on draft resolution E/CN.4/1991/L.36 because it felt that the basic ideas set forth in that text were important. However, his delegation had not been consulted on the text and he wished to state its position on operative paragraph 10.

95. The meeting in question was undoubtedly an important one but it was still a regional meeting. Different regions had different problems and the results of a particular meeting might not necessarily be applicable to all regions in the world. He therefore wished to make it clear that the fact that his delegation had joined the consensus did not commit it in any particular way.

96. Mr. COOK (United States of America), speaking in explanation of vote, said that his delegation had joined the consensus on draft resolution E/CN.4/1991/L.36. It supported the Centre for Human Rights and recognized the need to find long-term solutions to the resources requirements of the Centre. It believed, however, that efforts to redress the resource needs of the Centre should be consistent with overall efforts within the context of the United Nations budget to meet new resources requirements through the transfer and redeployment of resources.

97. His delegation had also joined the consensus on draft resolution E/CN.4/1991/L.38/Rev.1, which called upon the Centre to enhance co-operation between the United Nations and regional and national institutions, particularly in the fields of advisory services and technical assistance. In that connection, he recalled his Government's long-standing position that technical assistance should be provided through voluntarily-funded organizations in the United Nations system, such as UNDP, and should not be funded from the regular budget of the United Nations or from those of its agencies.

98. His delegation had joined the consensus on draft resolution E/CN.4/1991/L.44 because it supported the basic aims of the text. However, it would have preferred the deletion of the fourth preambular paragraph. While it recognized that the language in that paragraph was based on language contained in the International Covenants on Human Rights, that it was aware that language had been occasionally misused to limit the exercise of human rights. In any event, his delegation did not believe it desirable to reiterate the language in question in that particular resolution.

99. Mr. DAYAL (India), speaking in explanation of vote, said that his delegation had joined the consensus on resolution E/CN.4/1991/L.36, although it shared the concern expressed by the representative of China, particularly with regard to operative paragraph 10. The meeting in Paris of Heads of State and Government referred to in the resolution was no doubt an important one but it remained a regional meeting. The results of that meeting, to which reference was also made in the text, were not directly known to his delegation. In the circumstances, it would have been preferable not to refer to a regional meeting in a resolution which was of global significance.

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT, IN PARTICULAR:

(a) TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT;

(b) STATUS OF THE CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT;

(c) QUESTION OF ENFORCED OR INVOLUNTARY DISAPPEARANCES (agenda item 10) (continued) (E/CN.4/1991/L.29, L.32, L.35, L.37, L.39, L.42, L.43, L.45-L.47, L.49, L.72 and L.77; E/CN.4/1991/2, Chapter I A, draft resolutions V and VI; Chapter I B, draft decisions 1 and 3)

Draft resolution E/CN.4/1991/L.29

100. Mr. TROTTIER (Canada), introducing the draft resolution on behalf of its sponsors, to which the delegations of the Czech and Slovak Federal Republic and Panama and the observers for Greece and Switzerland had been added, drew attention to the second and sixth preambular paragraphs; in the second preambular paragraph, the words "the right to freedom of expression" should be added in the fourth line, after the words "the exercise of", and the words "these rights" should be deleted. After reading out portions of operative paragraphs 1, 5, 7 and 9, he expressed the hope that, in accordance with past practice, the draft resolution could be adopted by consensus.

101. Draft resolution E/CN.4/1991/L.29 was adopted without a vote.

Draft resolution E/CN.4/1991/L.35

102. Mr. SCHERK (Austria), introducing the draft resolution on behalf of its sponsors, drew attention to the first and third preambular paragraphs. As the United Nations Legal Counsel had stated at the forty-fifth session of the General Assembly, respect for the privileges and immunities of United Nations officials was one of the primary conditions for the exercise of the responsibilities entrusted by Member States to the United Nations and the organizations of the United Nations system. Drawing attention to operative paragraphs 1 and 2, he emphasized the importance of States parties complying with their obligations under the Convention on the Privileges and Immunities of the United Nations. In operative paragraph 2, third line, the words "independent experts" should be added after "special rapporteurs and representatives".

103. Draft resolution E/CN.4/1991/L.35 was adopted without a vote.

Draft decision E/CN.4/1991/L.37

104. Mrs. RUESTA DE FURTER (Venezuela), introducing the draft decision on behalf of its sponsors, said that its purpose was to transmit to Governments and interested organizations the text of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (E/CN.4/1991/66) so that the Commission, could take a final decision on the question at its forty-eighth session, in the light of any comments that might be submitted.

105. The concept of the draft optional protocol derived from work carried out by the International Committee of the Red Cross. The initial draft optional protocol, submitted by the delegation of Costa Rica in 1980, had been drawn up jointly by the Swiss Committee against Torture and the International Commission of Jurists. The updated draft had emerged from a meeting of experts held at Geneva in November and December 1990.

106. Noting that the Special Rapporteur on torture had recommended the establishment of a system of visits to places of detention as a means of preventing torture (E/CN.4/1991/17, paras. 295-300), she expressed the hope that the draft decision could be adopted by consensus.

107. Draft decision E/CN.4/1991/L.37 was adopted without a vote.

Draft resolution E/CN.4/1991/L.39

108. Mr. NOWAK (Austria), introducing the draft resolution on behalf of its sponsors, to which the delegations of the Czech and Slovak Federal Republic and France and the observer for New Zealand had been added, said that there had been two minor drafting changes. In the second preambular paragraph, second line, the words "and in the International Convention on the Elimination of All Forms of Racial Discrimination" should be added after the word "Punishment". In the sixth preambular paragraph, second line, the words ", if they so wish" should be added after the word "rights".

109. Drawing attention to the fourth, fifth and twelfth preambular paragraphs and operative paragraph 7, he said that, while the draft resolution was closely modelled on that of the previous year, it took due account of the adoption of new standards by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and of General Assembly resolution 45/166.

110. Draft resolution E/CN.4/1991/L.39 was adopted without a vote.

Draft resolution E/CN.4/1991/L.42

111. Mr. RONQUIST (Sweden), introducing the draft resolution on behalf of its sponsors, to which the delegations of Australia, France and Germany and the observers for Norway and Switzerland had been added, drew attention to the eighth preambular paragraph and read out portions of operative paragraphs 4, 5 and 6. With regard to operative paragraph 6, reference might also be made to the competence of the Committee against Torture to make confidential inquiries under article 20 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the possibility which existed under article 28, paragraph 2 of the Convention of withdrawing any reservations regarding such competence.

112. Draft resolution E/CN.4/1991/L.42 was adopted without a vote.

Draft resolution E/CN.4/1991/L.43

113. Mr. RONQUIST (Sweden), introducing the draft resolution on behalf of its sponsors, to which the delegations of Australia, France, Germany and Japan and the observers for Norway and Switzerland had been added, read out portions of the fifth preambular paragraph and operative paragraphs 1, 2, 3 and 5, and commended the draft resolution to the Commission for adoption.

114. Draft resolution E/CN.4/1991/L.43 was adopted without a vote.

Draft resolution E/CN.4/1991/L.45

115. Mr. SANTANA CARLOS (Portugal), introducing the draft resolution on behalf of its sponsors, to which the delegations of Australia and Germany and the observer for Switzerland had been added, said that the question of respect for the human rights and privileges and immunities of United Nations staff members must continue to be of the utmost importance to the Commission, not only for humanitarian reasons but also because a significant part of its work was based on information obtained in the field by working groups, special rapporteurs and experts and the staff members who supported their activities.

116. The objectivity and impartiality of the reports submitted to the Commission were incompatible with any kind of pressure placed on those individuals. It was therefore a matter of great concern to the Commission and to the Organization as a whole that the number of both pending and new cases of arrest and detention of United Nations officials had remained very high during 1990, as noted by the Legal Counsel in his statement to the General Assembly in October 1990.

117. In that connection, he noted with appreciation the study (E/CN.4/Sub.2/1990/30) submitted by Ms. Bautista to the Sub-Commission on Prevention of Discrimination and Protection of Minorities and welcomed the Sub-Commission's decision that the study should be pursued.

118. Since the draft resolution was modelled closely on Commission resolution 1990/31 which had been adopted by consensus, minor changes having been introduced for the purpose of updating it, he hoped that it could be adopted by consensus.

119. Draft resolution E/CN.4/1991/L.45 was adopted without a vote.

Draft resolution E/CN.4/1991/L.46

120. Mr. RIETJENS (Belgium), introducing the draft resolution on behalf of its sponsors, to which the delegation of Australia and the observer for Switzerland had been added, said that it was closely modelled on Commission resolution 1990/34 which had been adopted without a vote. The ideas which had been added were not new; their purpose was to increase the international community's efforts to prevent torture.

121. The draft resolution included a number of recommendations made by the Special Rapporteur on torture, which had been supported by the Commission in previous years, and in operative paragraph 7, contained a new suggestion made by the Special Rapporteur. He drew attention to the twelfth preambular paragraph which emphasized the possibilities offered by the United Nations programme of technical assistance, training and advisory services with regard to preventing torture.

122. Operative paragraphs 16 to 19 had been included with a view to encouraging further co-operation between Governments and the Special Rapporteur. The draft resolution also stressed the complementary nature of the work carried out by the Special Rapporteur on torture and that of the Committee against Torture (operative paragraph 14) and welcomed the contacts between the Special Rapporteur and the European Committee for the Prevention of Torture or Inhuman or Degrading Treatment or Punishment (eighth preambular paragraph).

123. In operative paragraph 4, after the word "Stresses", the words "in view of the conclusions of the Special Rapporteur," should be added.

124. Draft resolution E/CN.4/1991/L.46 was adopted without a vote.

Draft resolution E/CN.4/1991/L.47

125. Mr. RIETJENS (Belgium), introducing the draft resolution on behalf of its sponsors, to which the delegations of Colombia, Germany and India had been added, drew attention to the fourth and fifth preambular paragraphs and operative paragraphs 1 and 5. Adoption of the draft resolution would obviate the need for the Commission to take a decision on draft resolution VI submitted by the Sub-Commission, as the text of that proposal had been incorporated into draft resolution E/CN.4/1991/L.47. He also drew attention to document E/CN.4/1991/L.32, containing the programme budget implications of the proposal under consideration.

126. Draft resolution E/CN.4/1991/L.47 was adopted without a vote.

127. The CHAIRMAN said that, if there was no objection, he would take it that the Commission, having adopted E/CN.4/1991/L.47, intended it to supersede Sub-Commission draft resolution VI on the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers, contained in document E/CN.4/1991/2.

128. It was so decided.

Draft resolution E/CN.4/1991/L.49

129. Mr. SEKAZI (Japan), introducing draft resolution E/CN.4/1991/L.49 on behalf of its sponsors, said that hostage-taking was in violation of the most basic human right, the right to life, causing deep suffering not only to the hostages themselves but to their families and friends as well. His delegation had in mind the hostage-taking carried out in 1990 by one State. As one of the countries whose citizens had been taken hostage, Japan could not allow

such an act to pass unnoticed in the Commission. In order to avoid politicizing the issue, the name of the country that had committed that act had not been mentioned in the draft resolution.

130. He hoped that, as in 1990, the draft resolution would be adopted without a vote.

131. Draft resolution E/CN.4/1991/L.49 was adopted without a vote.

Draft resolution E/CN.4/1991/L.72

132. Mr. HESSEL (France), introducing draft resolution E/CN.4/1991/L.72 on behalf of its sponsors, which had been joined by Australia, Germany and the United Kingdom, said that it concerned a phenomenon that combined torture, arbitrary detention, summary execution and the tragedy of the families affected. The practice persisted worldwide, and it was therefore important to continue to support the humanitarian mission of the Working Group on Enforced or Involuntary Disappearances.

133. He commended those Governments that co-operated with the representatives sent by the Commission for providing them with information and allowing them to visit their country. It was a difficult exercise, and he had taken due note of the reservations expressed by the Philippines. In that connection, it was to be hoped that Sri Lanka would rapidly follow up on its invitation.

134. France was concerned about the development in certain situations of a climate of impunity, which led directly or indirectly to an increase in the practice of disappearances.

135. His delegation understood the difficulty some States confronted in achieving national reconciliation, but the rights of the victims and of their families must be respected. Special attention must be given to cases of children who had disappeared, whether with or without their parents.

136. Governments must also ensure that human rights organizations were not subjected to intimidation or retaliation. It was essential for the Working Group to be active in that area.

137. He hoped that, as in previous years, the draft resolution would be adopted without a vote.

138. Mr. VILLARROEL (Philippines) said that his delegation wished to join the consensus on the draft resolution, but asked to have its strong reservations placed on record about paragraph 3, which reminded the Working Group on Enforced or Involuntary Disappearances of the obligation to discharge its mandate in a discreet and conscientious manner. More than discretion and conscientiousness, words devoid of real substance, it was fairness, balance and a constructive attitude that the Working Group most sorely needed and which had been lacking in its report on the Philippines.

139. Mr. PACE (Secretary of the Commission on Human Rights), referring to the financial implications of L.72, by which the Commission would authorize an open-ended working group to meet for a period of two weeks prior to the Commission's forty-eighth session and the Secretary-General would be requested

to extend all facilities to the working group for that meeting, said that conference servicing costs were estimated at $US 137,300, based on the assumption that conference servicing requirements would be met from within the permanent conference servicing capacity under the appropriate section of the programme budget.

140. Draft resolution E/CN.4/1991/L.72 was adopted without a vote.

141. The CHAIRMAN said that, if there was no objection, he would it that the Commission having adopted E/CN.4/1991/L.72, intended it to supersede Sub-Commission draft decision 3 on the draft declaration on the protection of all persons from enforced or involuntary disappearances, contained in document E/CN.4/1991/2.

142. It was so decided.

Draft resolution E/CN.4/1991/L.77

143. Mr. PACE (Secretary of the Commission for Human Rights) said that, under draft resolution E/CN.4/1991/L.77, the decision would be taken to create, for a three-year period, a working group composed of five independent experts for the task of investigating cases of arbitrary detention and that, in carrying out its mandate, the working group would seek and receive information from Governments and intergovernmental and non-governmental organizations and from individuals concerned, their families and their representatives and would present a comprehensive report to the Commission at its forty-eighth session. The working group would meet in Geneva for five working days in June-July 1991, May-June 1992 and May-June 1993 to receive and examine information in accordance with paragraph 3 and to take the necessary decisions for transmitting such information to Governments. It would meet in Geneva in August-September 1991, August-September 1992 and August-September 1993 for five working days for the same purpose. It would meet in Geneva for five working days in December 1991, December 1992 and December 1993 to receive and examine information and to consider and adopt its report for submission to the Commission at its forty-eighth, forty-ninth and fiftieth sessions, respectively. In February-March 1992, February-March 1993 and February-March 1994, the chairman-rapporteur would travel to Geneva to present the working group's report to the Commission at its forty-eighth, forty-ninth and fiftieth sessions.

144. One staff member at the P-4 level, two at the P-3/P-2 level, one computer operations clerk and two secretaries would be required to provide the working group with the assistance needed for the substantive preparation and servicing of three annnual sessions, the screening of incoming reports, the transmittal of cases approved by the working group to Governments and the connected correspondence and the preparation of the working group's annual report to the Commission. Judging by the information received under other procedures, it should be assumed that the working group would be called upon to process several thousand individual cases annually, and computer and word-processing services would therefore be required to assess the data collected.

145. Estimated costs for servicing, meetings, travel and temporary assistance for the above programme of work were as follows: for 1991, $US 417,500; for 1992, $US 530,400; for 1993, $US 501,300; and for 1994, $US 108,400. Servicing costs for computerization and related conference servicing for the meetings in 1991, 1992, 1993 and 1994 had not yet been estimated. Draft resolution L.77 was considered to be within the scope of perennial activities and resources, and resources would therefore be provided from within the existing provision for the Economic and Social Council mandates under sections 23 and 28, respectively.

146. Mrs. MAEDER-METCALF (Germany) said that the establishment of a working group of five independent experts to investigate cases of detention imposed arbitrarily or in a manner inconsistent with relevant international standards marked another important step towards improving the United Nations monitoring mechanisms in the field of human rights. Such a working group would guarantee a universal approach that her delegation fully supported. It wished to point out that at a regional level, a mechanism covering cases of arbitrary detention had already been provided for by the European Commission for Human Rights, and her delegation assumed that there would be no unnecessary procedural duplication with regard to existing mechanisms.

147. Draft resolution E/CN.4/1991/L.77 was adopted without a vote.

148. The CHAIRMAN said that, if there was no objection, he would take that, having adopted E/CN.4/1991/L.77, the Commission intended it to supersede Sub-Commission draft decision 1 on the question of human rights and states of emergency, contained in document E/CN.4/1991/2.

149. It was so decided.

150. The CHAIRMAN said, that if there was no objection, he would take it that the Commission wished to adopt without a vote Sub-Commission draft resolution V on the right to a fair trial, contained in document E/CN.4/1991/2.

151. It was so decided.

152. Mr. CROOK (United States of America), speaking in explanation of vote on draft resolution E/CN.4/1991/L.29, said that his delegation must dissociate itself from some of its elements. His Government was concerned that it contained language supporting implications that could restrict the free flow of news and information and would serve to justify restrictions on the media. Article 19 of the Universal Declaration of Human Rights should be the foundation for any resolution on freedom of expression. It was a fundamental principle reflected in the Constitution of the United States that freedom of expression and free press should not be restricted.

153. Mr. COOK (United States of America) said that his delegation had joined the consensus on draft resolution E/CN.4/1991/L.47. His delegation had also joined the consensus on Sub-Commission draft resolution V on the right to a fair trial. It encouraged the Sub-Commission to give due attention and consideration to the studies to be made on that important subject aiming at their completion within a period not to exceed three years.

154. With regard to Sub-Commission draft decision 1 on the question of human rights and states of emergency, his delegation had noted in the programme budget implication of that study that any increased expenditure in 1991 would be absorbed within existing budgetary resources.

155. Mr. SEZAKI (Japan) said that his delegation had joined the consensus on draft resolution E/CN.4/1991/L.35, but had reservations on paragraph 1. In implementing the Convention on the Privileges and Immunities of the United Nations, it was not appropriate to take measures only for the persons referred to in that paragraph. It was also doubtful whether the Commission was entitled to take a decision on the interpretation and implementation of international conventions, as requested in the same paragraph. Complex questions relating to the privileges and immunities of the United Nations should be left to the Sixth Committee of the General Assembly, which brought together the legal experts of all delegations.

156. His delegation had also joined the consensus on draft resolution E/CN.4/1991/L.42. His Government was fully aware of the importance of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and recognized that more and more States had ratified or acceded to it. In Japan, however, the necessary adjustment for ratification was still under careful consideration, and it was hardly possible to indicate at the current stage when ratification would take place. His delegation therefore had a reservation on the use of the word "urges" in paragraph 5 of draft resolution L.42.

157. Mr. BAKER (Australia) said, with regard to draft resolution E/CN.4/1991/L.37, that his delegation supported the strengthening of preventive measures for the protection of human rights, and would therefore support the principle of an optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. But it had doubts about the practicability of the proposal at the current stage, given its expected costs, possible duplication with other mechanisms and the need to concentrate elsewhere the efforts to combat torture. In its view, the phrase "consider the draft optional protocol" should be taken as also covering a consideration of the timeliness of the proposal.

158. Mr. DAYAL (India) said that his delegation had been pleased to go along with the consensus on draft resolution E/CN.4/1991/L.42, but it would have been happier if operative paragraph 5 had been drafted in the same language as in previous years, namely: "Reiterates its request to all States to become parties to the Convention as a matter of priority".

159. It shared the view that the world "Urges" was a little too strong in that context.

160. The meeting was suspended at 7.05 p.m. and resumed at 7.40 p.m.

HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS (agenda item 14) (continued) (E/CN.4/1991/38 and 39; E/CN.4/Sub.2/1990/7 and 12; E/CN.4/1991/L.28, L.55, L.63 and L.70; E/CN.4/1991/2, chapter I A, draft resolution IV)

Draft resolution E/CN.4/1991/L.28

161. Mr. PACE (Secretary of the Commission) said that the Ukrainian Soviet Socialist Republic had inadvertently been omitted from the list of sponsors, and should therefore be added.

162. A new fifth preambular paragraph should be added to the draft resolution, to read: "Aware that poverty and underdevelopment constitute causes of environmental degradation and that therefore efforts towards promoting environmentally sustainable development are essential if everyone is to live in an environment adequate for his or her health and well-being,".

163. The words "and indigenous peoples' organizations" should be deleted from operative paragraph 3.

164. Mr. VASSILENKO (Ukrainian Soviet Socialist Republic), introducing draft resolution E/CN.4/1991/L.28, as amended, thanked the delegations that had sponsored and participated in preparing the draft resolution. Special thanks were due to Mrs. Ksentini, who had prepared the note containing proposals for a study of the problem of the environment and its relation to human rights (E/CN.4/Sub.2/1990/12). In that note, Mrs. Ksentini had stated that it would be hard to deny that a right to the environment existed, and had observed that it was an integral part of the set of norms that had been developed to protect the dignity of man and to promote and protect his rights. She had further referred to the need to determine the position of ecological rights within the hierarchy of human rights standards, to the nature of those rights and to the timing of their implementation.

165. The comprehensive study on human rights and the environment which Mrs. Ksentini would be called upon to prepare was essential if a legal basis for the formulation of national and international standards for human rights and the environment was to be established. The study would also represent an important contribution to the forthcoming United Nations Conference on the Environment and Development. Neither his own position nor that of his delegation with respect to the need to study the relationship between human rights and the environment could be construed as a political gesture or as an attempt to divert the Commission's attention from human rights or to turn it into an environmental body. The sponsors had been guided by the provisions of the relevant General Assembly resolutions on alternative approaches, which had established a link between various categories of human rights and had called for the further development of human rights standards.

166. The question of the ecological aspects of human rights would complement the development of such rights as the right to life and the right to health. The right to life of countless numbers of people was being jeopardized, and all United Nations bodies, including the Commission, should do everything within their competence to seek effective guarantees for the promotion and enjoyment of that right. His delegation hoped that Mrs. Ksentini would receive every possible assistance in the preparation of her study and that the draft resolution before the Commission would be adopted without a vote.

167. The CHAIRMAN said that Morocco and Cuba should be added to the list of sponsors.

168. Ms. ANDREYCHUK (Canada) asked why the reference to indigenous peoples' organizations had been deleted from operative paragraph 3 of the draft resolution.

169. Mr. VASSILENKO (Ukrainian Soviet Socialist Republic) explained that the deletion had been made in order to avoid duplication and not in any way to disregard the rights of indigenous peoples. Those peoples' organizations were non-governmental organizations, and as such were covered by the reference to the latter.

170. Mr. SCHWARZ (United States of America) said that his delegation well understood that environmental degradation threatened the health and welfare of mankind and that ecological disasters created thousands of refugees who must abandon their homes and livelihoods because of potentially irreversible circumstances. It congratulated the delegation of the Ukrainian Soviet Socialist Republic, whose people had suffered so greatly from the consequences of such a disaster, for keeping the issues concerned in the public eye, and it encouraged the discussion of those issues in competent United Nations forums such as the International Atomic Energy Agency, the United Nations Environment Programme, the United Nations Conference on Environment and Development, and the World Health Organization. At the same time, to invest environmental issues with the language of human rights could threaten the Commission's unfinished work both financially and philosophically, and his delegation considered that the proposed study on human rights and the environment was outside the Commission's competence. It therefore called for a vote on draft resolution E/CN.4/1991/L.28 and would vote against it.

171. Mr. GRILLO (Colombia) said that the draft resolution was highly relevant to the work of the Commission. His delegation regretted the deletion of the reference to indigenous peoples' organizations, whose participation in environmental activities was extremely useful.

172. Mr. VASSILENKO (Ukrainian Soviet Socialist Republic) proposed that the relevant passage in operative paragraph 3 should be amended to read "... non-governmental organizations, including indigenous peoples' organizations".

173. Draft resolution E/CN.4/1991/L.28, as amended, was adopted by 39 votes to 1, with 1 abstention.

174. The CHAIRMAN said that, if there was no objection, he would take it that the Commission, having adopted E/CN.4/1991/L.28, intended it to supersede Sub-Commission draft resolution IV on human rights and the environment contained in document E/CN.4/1991/2.

175. It was so decided.

Draft resolution E/CN.4/1991/L.55

176. Ms. ILIC (Yugoslavia) introduced draft resolution E/CN.4/1991/L.55, the purpose of which was to draw the Sub-Commission's attention to the study conducted by the United Nations University in response to the invitation by the Commission on Human Rights contained in its resolution 1986/9, and to request it to consider the applicability of the recommendations contained therein to the work of the United Nations in that field.

177. Her delegation proposed that the words "its deliberations", in the last line of paragraph 2 of the draft resolution, should be replaced by the words "any conclusions".

178. Draft resolution E/CN.4/1991/L.55 was adopted without a vote.

Draft resolution E/CN.4/1991/L.63

179. Mr. CAMPBELL (Observer for the United Kingdom), introducing draft resolution E/CN.4/1991/L.63 on behalf of its sponsors, said that the open-ended Working Group authorized to examine, revise and simplify the draft body of Principles for the protection of the mentally ill had presented its conclusions to the Commission in document E/CN.4/1991/39. The draft resolution expressed the Commission's appreciation for the work of the open-ended Working Group; endorsed the draft body of Principles and decided to transmit them to the General Assembly through the Economic and Social Council. It recommended that, on adoption, the draft body of Principles should be given the widest possible dissemination and that the "Introduction" contained in Annex II to the report should be published as an accompanying document, for the benefit of Governments and the public at large. The sponsors to the resolution hoped that the Commission would endorse the Principles, thereby concluding the examination of an item begun some 14 years previously, and that the draft resolution would be adopted by consensus.

180. The CHAIRMAN announced that the delegation of Spain had joined the list of sponsors of draft resolution E/CN.4/1991/L.63.

181. Draft resolution E/CN.4/1991/L.63 was adopted without a vote.

Draft resolution E/CN.4/1991/L.70

182. Ms. CHELUGET (Observer for Kenya), introducing draft resolution E/CN.4/1991/L.70 on behalf of its sponsors, who had been joined by Ethiopia, Nigeria and Zambia, said that the draft resolution before the Commission retained the same basic themes as the previous year's resolution. The right of individuals to be guaranteed a pure, decent and healthy environment could be conceived as an emerging human right, fundamental to all other human rights. In a sense, traditional human rights norms and the rapidly expanding corpus of international environmental law were converging. In contrast to the case of political rights, a feature of norms to protect the environment and preserve the earth's ecology was that their content did not remain fixed: new discoveries necessarily led to higher levels of enforcement. The goal sought was realistic implementation of environmental

standards and applicable human rights. Effective supervision and procedural machinery were required for the purpose of enforcing those environmental standards. Greater use must thus be made of existing regional tribunals as a step towards preservation of the environment and the safeguarding of the right to life. Her delegation recommended that the draft resolution should be adopted by consensus.

183. Mr. SENE (Senegal) stressed that the fundamental purpose of the draft resolution was to protect the right to life and health. To that end, the sponsors had based themselves on regional African and international instruments on the safe treatment of toxic and dangerous wastes, with a view to securing the healthy environment indispensable to welfare and the enjoyment of human rights. International support was needed in order to meet the global challenges of sustainable development. Senegal, which had already initiated a Euro-African meeting on the question of such wastes, thus supported the draft resolution, and wished to join the lists of sponsors.

184. Mr. SCHWARZ (United States of America), speaking in explanation of vote before the vote on draft resolution L.70, said that, in his delegation's view, the resolution strayed from the competence and mandate of the Commission. It was true, as the first preambular paragraph of the resolution stated, that dumping of toxic waste threatened man's ability to attain the highest standards of health; but every act of man, every scientific, economic and technological development, had some effect on the environment. Only some acts of man, such as torture, suppression of speech, denial of religious freedom or the right to leave one's country deserved the attention of the Commission. It should strive single-mindedly for their elimination. That, in his delegation's view, was work enough for the Commission; there were other, more appropriate United Nations bodies for the discussion of toxic waste. His delegation would resist attempts to insinuate the topic further into the agenda or work plan of the Commission.

185. At the request of the representative of the United States of America, a vote was taken by roll-call on draft resolution E/CN.4/1991/L.70.

186. Colombia, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Argentina, Bangladesh, Brazil, Burundi, China, Colombia, Cuba, Cyprus, Czechoslovakia, Ethiopia, Gambia, Ghana, India, Indonesia, Iraq, Madagascar, Mauritania, Mexico, Morocco, Pakistan, Peru, Philippines, Senegal, Swaziland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Venezuela, Yugoslavia, Zambia.

Against: None.

Abstaining: Australia, Austria, Belgium, Canada, France, Germany, Hungary, Italy, Japan, Portugal, Sweden, United States of America.

187. Draft resolution E/CN.4/1991/L.70 was adopted by 29 votes to none, with 12 abstentions.

188. Ms. SINEGIORGIS (Ethiopia), speaking in explanation of vote, said that her delegation had voted in favour of draft resolution E/CN.4/1991/L.28, on human rights and the environment, and fully endorsed the nomination of Mrs. Ksentini to undertake a study on that subject. However, the resolution just adopted dealt with a very complex topic requiring comprehensive consideration of the relationship between cause and effect. Its preambular paragraphs seemed to imply that full enjoyment of human rights was undermined by environmental problems caused only by scientific and technological developments. There was no gainsaying that such developments had had adverse consequences for the environment, including negative implications for the full enjoyment of human rights and respect for human dignity. Her delegation welcomed recent amendments to the draft resolution, particularly the addition of the fifth preambular paragraph, which went some way towards removing its reservations in that regard. However, other factors negatively affecting the environment, such as natural catastrophes, had not been recognized as though there were a hierarchy among such factors. The Commission should endeavour to avoid focusing unduly on the problems of just one half of the globe. Draft resolution E/CN.4/1991/L.16, entitled "Human rights and extreme poverty", contained elements that would contribute to the task of the independent expert. Her delegation welcomed the reference to poverty and underdevelopment, which, in its view, were factors that had a major impact upon the environment.

189. Mrs. FOSTIER (Belgium), said that her delegation had abstained in the vote on draft resolution E/CN.4/1991/L.70 because it considered that the topic did not fall within the sphere of human rights. Furthermore, the issue was dealt with adequately by other bodies such as the United Nations Environment Programme and the Second Committee of the General Assembly. Belgium would work in the framework of those bodies, and believed that the Commission on Human Rights was not an appropriate forum for discussion of the topic.

190. Mr. KÖNIG (Germany), speaking on the question of a draft body of principles for the protection of persons with mental illness and for the improvement of mental health care, dealt with in draft resolution E/CN.4/1991/L.63, said that article 1 of the German Constitution assigned the highest priority to the protection of human dignity. His Government thus welcomed the intention to establish Principles providing for the treatment of mentally ill persons by means of guidelines based on the inviolability of human dignity. The relevant provisions of German law were in accordance with the values expressed in the Principles. However, in view of substantive differences of opinion in legal, medical, social, economic and other circles, various aspects of the Principles were not equally acceptable to all States. His Government thus regarded the Principles as guidelines, without prejudice to any future codification in that field, and did not envisage basing any legal action thereon.

191. Mr. SHEPPARD (Australia) said that his delegation shared the concerns over hazards to the environment that had motivated the drafting of resolution E/CN.4/1991/L.70. It had participated actively in the negotiation of the Basel Convention, which it regarded as a valuable tool for dealing with the problem. However, it was not convinced that those concerns could be advanced by action within the Commission on Human Rights. It had therefore abstained in the vote on the draft resolution.

192. Mr. SEZAKI (Japan) said that his delegation had abstained in the votes on draft resolutions E/CN.4/1991/L.28 and L.70, although it appreciated the sponsors' concerns and supported any effort to tackle global problems. However, his country considered that the problems in question should be considered in more appropriate United Nations bodies, rather than in the Commission. If the draft resolutions in question had been submitted to a session of the United Nations Environment Programme (UNEP) or the Second Committee of the General Assembly, Japan would have supported them.

193. Mr. RONQUIST (Sweden) said that his delegation had joined the consensus on draft resolution E/CN.4/1991/L.63 because of its general support for the draft body of Principles for the protection of persons with mental illness and for the improvement of mental health care. However, his delegation found it unfortunate that the Principles had been drafted in a very detailed manner; it feared that might be an obstacle to their overall implementation. The Swedish system for the care of mentally ill people was designed to protect them, just as the Principles were, but it was different in certain respects. For that reason, his delegation therefore had some reservations with regard to a few elements in the Principles.

IMPLEMENTATION OF THE DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF (agenda item 22) (continued) (E/CN.4/1991/L.75)

Draft resolution E/CN.4/1991/L.75

194. Mr. HENNESSY (Observer for Ireland) introduced draft resolution E/CN.4/1991/L.75 on behalf of the sponsors, who had been joined by Gambia and the Czech and Slovak Federal Republic. The draft resolution under consideration was closely based on that adopted the previous year (resolution 1990/27). The resolution took note of the latest report of the Special Rapporteur, Mr. D'Almeida Ribeiro (E/CN.4/1991/56) and the comments made by the Commission. It called upon States to establish adequate constitutional and legal guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies for discrimination, as well as providing training for law enforcement officials, civil servants and educators in that area.

195. The resolution further called upon the United Nations to enhance its promotional and public information activities in matters relating to freedom of religion or belief, particularly within the the World Public Information Campaign on Human Rights. It also highlighted the important role played by non-governmental organizations.

196. The draft resolution noted in its preamble that 1991 marked the tenth anniversary of the proclamation of the Declaration by the General Assembly. In operative paragraph 5, the draft resolution called upon all States to consider further measures which might be taken at the national and regional levels to promote the effective implementation of the Declaration. He hoped that the draft resolution would be adopted without a vote.

197. Draft resolution E/CN.4/1991/L.75 was adopted without a vote.

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS (agenda item 21) (continued) (E/CN.4/1991/L.64/Rev.1, L.65 and L.82)

Draft resolution E/CN.4/1991/L.64/Rev.1

198. Mr. FULDA (Germany), introducing draft resolution E/CN.4/1991/L.64/Rev.1 said that the document had been re-issued for technical reasons. The draft resolution expressed the gratitude of the sponsors at the way in which the Centre for Human Rights had restructured the management of the Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights. The work of the Advisory Group in the Centre for Human Rights in assisting the Secretary-General to respond to requests submitted by Governments had been reorganized, using models established within the United Nations Development Programme. That had been necessary since the Centre's experience had shown that both requesting and donating countries were very interested in realizing large-scale institution-building in the field of human rights.

199. The new methods of work had added to the transparency of the Voluntary Fund's activities, increasing the information available about its potential and the use which the Centre was making of voluntary donations. As a result, very considerable additional sums had already been pledged.

200. The draft resolution described the new developments on the basis of the highly appreciated reports of the Secretary-General (E/CN.4/1991/55). The sponsors' discussions with other delegations had shown that the changes enjoyed widespread support. He therefore hoped that the draft resolution would be adopted without a vote.

201. Draft resolution E/CN.4/1991/L.64/Rev.1 was adopted without a vote.

Draft resolution E/CN.4/1991/L.65

202. Mr. FULDA (Germany), introducing draft resolution E/CN.4/1991/L.65, said that Senegal had asked to become a sponsor. The draft resolution was modelled on the one adopted the previous year (resolution 1990/58). It again requested the Secretary-General to provide further human and financial resources to meet the growing demand for advisory services, particularly from developing countries. The differences from the previous year's resolution were stylistic in nature or reflected the changes which had taken place in the Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights. He hoped that the draft resolution would be adopted by consensus.

203. Ms. SINEGIORGIS (Ethiopia) said that her delegation would join the consensus on the draft resolution. However, she felt that the text could have highlighted the essential properties of the programme as a preventive mechanism, thus avoiding the tendency to send conflicting signals to Governments and the Centre for Human Rights. Her delegation had attempted to convey its concern to the authors of the draft resolution, but without much success.

204. Advisory services should only be made available at the express request of the Government concerned, as the fifth preambular paragraph made clear. However, the suggestion in operative paragraphs 12 and 13 that special

rapporteurs and representatives and the Working Group on Enforced or Involuntary Disappearances should draw up proposals for specific advisory services projects and recommend them to Governments ran contrary to that long-standing principle. In her opinion, it constituted a change of attitude on the relationship of co-operation which ought to exist between Governments which needed assistance and the mechanism for extending assistance.

205. A tendency was emerging for the programme of advisory services to be seen as a curative, rather than a preventive, mechanism. In those circumstances, should Governments be commended for being direct about their need of advisory services or should they dissociate themselves from the programme because of the stigma that might ensue as a result of the pressure to view the programme as prescribed for curative purposes? It was also important to avoid the situation whereby some States used the programme as a cover for their refusal to respect human rights. She believed that the Commission's guidance was essential in that regard and also trusted that in future sponsors of resolutions on advisory services would be more open to constructive dialogue and the need to ensure the relevance of the programme on the basis of need and accommodation of as wide concerns as possible.

206. Mrs. CASTRO-MULLER (Philippines) said that her delegation wished to become a sponsor of the draft resolution.

207. Draft resolution E/CN.4/1991/L.65 was adopted without a vote.

Draft resolution E/CN.4/1991/L.82

208. Mr. STIGLICH (Peru), introducing draft resolution E/CN.4/1991/L.82, said that Venezuela had asked to become a sponsor.

209. He wished to introduce a number of revisions to the draft resolution. A new preambular paragraph was to be inserted after the original fifth preambular paragraph, to read:

> "Mindful furthermore that the Plan of Action proposed by the United Nations and accepted by the Government of Equatorial Guinea has slowed down and that, therefore, it is necessary to update it and give it fresh impetus;".

210. Another new preambular paragraph should be added after the original seventh preambular paragraph, to read:

> "Considering furthermore that it is necessary to expand and strengthen the mandate of the Expert, so that he can better contribute to the efforts for the effective protection and promotion of human rights and fundamental freedoms;".

211. A new paragraph was to replace the present operative paragraph 8, to read:

> "Also requests the Secretary-General to extend the mandate of the Expert responsible for co-operation with the Government of Equatorial Guinea in the full application of the Plan of Action proposed by the United Nations and accepted by that Government. To this end, the

Expert may receive and consider complaints about human rights violations and carry out investigations on the spot with a view to studying the situation existing in that country in the sphere of human rights and fundamental freedoms;".

212. The draft resolution was intended to assist the Government and people of Equatorial Guinea to protect human rights and fundamental freedoms in that country. The sponsors wished to update the Plan of Action and take into account different aspects of the human rights situation in Equatorial Guinea. He hoped that the co-operation between the Centre for Human Rights and the Government of Spain to provide assistance to Equatorial Guinea would continue in the future.

213. Mr. DAYAL (India) asked for the amendments to the draft resolution to be circulated in writing.

214. The CHAIRMAN suggested that consideration of the draft resolution should be postponed until the next day, to allow the amendments to be circulated in writing.

215. It was so decided.

The meeting rose at 9.00 p.m.